

CHAPTER NO. 217

HOUSE BILL NO. 1453

By Representatives Briley, West, Sherry Jones, Newton, Langster, Baird, Pleasant, Cooper, Larry Turner

Substituted for: Senate Bill No. 200

By Senator Haynes

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, Part 1, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 6, Part 1, is amended by adding the following as a new section:

No later than December 31 of each year, the Department of Labor shall produce a report that includes a listing of the name of each covered employer that failed, during the preceding state fiscal year, to provide workers compensation coverage or qualify as a self-insured employer as required by law. Only those employers whose failure resulted in periods of non-coverage shall be included within the report. Such report shall also include the penalty assessed by the department and the payment status of such penalty. The report shall be provided to the Advisory Council on Workers' Compensation, the Oversight Committee on Workers' Compensation, and the Chairpersons of the Senate Commerce, Labor and Agriculture Committee and the House Consumer and Employee Affairs Committee.

SECTION 2. The Oversight Committee on Workers' Compensation is directed to review issues and provide recommendations relating to covered employers' failure to comply with the insurance provisions of the workers' compensation law, and the need to ensure the timely provision of workers' compensation benefits to workers injured during periods of employer non-compliance. The issues to be considered shall include:

(a) Financial and medical impact upon workers injured during periods of non-compliance by an employer;

(b) Enforcement efforts and powers of the Department of Labor relating to insurance compliance and the provision of workers' compensation benefits to workers injured during periods of non-compliance by an employer;

(c) Potential roles of the assigned risk plan and the second injury fund to provide benefits to workers injured during periods of non-compliance by an employer;


(d) Departmental authorities and procedures necessary to hold employers financially accountable for workers' compensation benefits provided to workers injured during periods of non-compliance by an employer; and


(e) Any such other matters as the oversight committee deems necessary to address these and related issues.

The committee shall present its conclusions and recommendations to the General Assembly by January 15, 2000. The provisions of this section shall not be codified.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 13, 1999


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 20th day of May 1999


DON SUNDQUIST, GOVERNOR